

2. Provisionally certify the Settlement Class pursuant to Rule 23 for settlement purposes only;
3. Approve the Notice Program set forth in the Settlement Agreement, including the form and content of the notices attached to the Settlement Agreement as Exhibits A and B;
4. Designate Plaintiffs as Class Representatives;
5. Appoint David K. Lietz of Milberg Coleman Bryson Phillips Grossman, PLLC and Raina C. Borrelli of Turke & Strauss LLP as Class Counsel;
6. Approve the retention of Angeion Group as Settlement Administrator;
7. Approve the procedures set forth in Sections VI of the Settlement Agreement (Exhibit 1 to the supporting Memorandum) for Settlement Class Members to exclude themselves from the Settlement Class or object to the Settlement;
8. Approve the use of a claim form substantially similar to that attached as Exhibit C to the Settlement Agreement, filed herewith;
9. Further stay the Action or otherwise adjourn litigation deadlines pending Final Approval of the Settlement;
10. Stay and/or enjoin, pending Final Approval of the Settlement, any actions brought by Settlement Class Members concerning a Released Claim; and
11. Schedule a Final Approval Hearing for a time and date convenient for the Court 120 days or more after a Preliminary Approval Order is entered, at which the Court will conduct an inquiry into the fairness of the Settlement, final approval of the Settlement and consideration of Settlement Class Counsel's Motion for Award of Fees, Expenses, Expenses, and Service Awards for the Class Representatives.

This Motion is based upon: (1) this Motion; (2) the Memorandum in Support of Plaintiffs'

Unopposed Motion for Preliminary Approval of Class Action Settlement; (3) the Joint Declaration of David K. Lietz and Raina C. Borrelli filed herewith; (4) the Settlement Agreement; (5) the Notices of Class Action Settlement (both Short and Long Form); (6) the Claim Form; (7) the [Proposed] Order Granting Preliminary Approval of Class Action Settlement; (8) the [Proposed] Final Approval Order; (9) the records, pleadings, and papers filed in this action; and (10) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

Dated: July 17, 2023

Respectfully submitted,

/s/ Thomas Pacheco

Thomas Pacheco (# 21639)

MILBERG COLEMAN BRYSON

PHILLIPS GROSSMAN, PLLC

15453 Indianola Drive

Derwood, MD 20855

(t) 443.980.6119

(f) 202.686.2877

tpacheco@milberg.com

David K. Lietz (pro hac vice)

MILBERG COLEMAN BRYSON

PHILLIPS GROSSMAN, PLLC

5335 Wisconsin Avenue NW, Suite 440

Washington, D.C. 20015-2052

(t) 202.744.1795

(f) 202.686.2877

dlietz@milberg.com

Raina C. Borrelli (pro hac vice)

TURKE & STRAUSS LLP

613 Williamson St., Suite 201

Madison, WI 53703

T: (608) 237-1775

F: (608) 509-4423

raina@turkestrauss.com

Attorneys for Plaintiffs and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2023, I electronically filed the foregoing document using the Court's electronic filing system, which will notify all counsel of record authorized to receive such filings.

/s/ Thomas Pacheco